

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JO ANN HOWARD AND ASSOCIATES, P.C.,)	
SPECIAL DEPUTY RECEIVER OF LINCOLN)	
MEMORIAL LIFE INSURANCE COMPANY,)	
MEMORIAL SERVICE LIFE INSURANCE)	
COMPANY, AND NATIONAL)	
PREARRANGED SERVICES, INC.; ET AL.,)	
)	
Plaintiffs,)	Case No. 09-CV-1252-ERW
v.)	
)	
J. DOUGLAS CASSITY; RANDALL K.)	
SUTTON; BRENT D. CASSITY; J. TYLER)	
CASSITY; RHONDA L. CASSITY; ET AL.,)	
)	
Defendants.)	

**STIPULATED VOLUNTARY DISMISSAL WITH PREJUDICE
OF COMPLAINT AGAINST DEFENDANT BANK OF AMERICA, N.A.**

Plaintiffs and Defendant Bank of America, N.A., under Fed. R. Civ. P. 41(a)(2), request an Order of the Court approving the dismissal with prejudice of Plaintiffs' claims against Bank of America, N.A., as contained in Plaintiffs' Third Amended Complaint.

1. Plaintiffs and Bank of America, N.A stipulate and agree to this dismissal with prejudice.

2. Pending matters in controversy between Plaintiffs and Bank of America, N.A. have been mutually resolved. Each party is to bear its own costs and attorneys' fees.

3. Plaintiffs' dismissal with prejudice against Bank of America, N.A. shall not affect Plaintiffs' claims contained in Plaintiffs' Third Amended Complaint against the remaining defendants.

Dated this 19th day of December, 2014.

Respectfully submitted,

s/ Wendy B. Fisher

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and

s/ W. Perry Brandt
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ATTORNEYS FOR DEFENDANT
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CERTIFICATE OF SERVICE

I hereby certify that on December 19, 2014, the foregoing **STIPULATED VOLUNTARY DISMISSAL WITH PREJUDICE OF COMPLAINT AGAINST DEFENDANT BANK OF AMERICA, N.A.** was filed electronically with the Clerk of Court and served by operation of the Court's electronic filing system upon all counsel of record in this case participating in Electronic Case Filing.

I hereby further certify that on December 19, 2014, the foregoing was sent by United States Postal Service or by electronic means, as indicated below, to the following non-participants in Electronic Case Filing:

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